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ALTA BATES SUMMIT MEDICAL CENTER

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

COYNESS L. ENNIX, JR., M.D.

Plaintiff,

v.

ALTA BATES SUMMIT MEDICAL CENTER,

Defendants.

Case No.: C 07-2486 WHA (JCS)

**JOINT STIPULATION AND
[PROPOSED] ORDER TO ENLARGE
TIME FOR DISCLOSURE OF EXPERT
REPORTS OF 1) CARDIAC SURGEON
EXPERTS AND 2) STATISTICIAN
EXPERTS**

Date: None
Time: None
Dept: Ctrm. 9, 19TH Floor

Trial Date: June 2, 2008
Judge: Hon. William H. Alsup

JOINT STIPULATION AND [PROPOSED] ORDER RE:

DISCLOSURE OF EXPERT REPORTS

C 07-2486 WHA (JCS)

1 IT IS HEREBY STIPULATED between Plaintiff Coyness L. Ennix, Jr., M.D. by and
2 through his attorneys of record, Moscone, Emblidge & Quadra, LLP and Defendant Alta Bates
3 Summit Medical Center and through their counsel of record, Kauff, McClain & McGuire, LLP
4 that the last day for disclosure of full expert reports under FRCP 26(a)(2) ("opening reports") as
5 to cardiac surgeon and statistics experts by either party shall be enlarged from January 25, 2008,
6 to February 8, 2008.

7 IT IS FURTHER STIPULATED as to the expert reports subject to this stipulation, that
8 the day the other parties may disclose responsive expert testimony with full expert reports
9 responsive to opening reports ("opposition reports") shall be enlarged from February 8, 2008, to
10 February 22, 2008.

11 IT IS FURTHER STIPULATED as to the expert reports subject to this stipulation, that
12 the day the opening parties may disclose any reply reports as described in ¶6 of the Case
13 Management Order filed in this matter on August 16, 2007 be enlarged from February 15, 2008,
14 to February 29, 2008.

15 IT IS FURTHER STIPULATED as to the expert reports subject to this stipulation, that
16 the cutoff for expert discovery shall be enlarged from February 29, 2008, to March 7, 2008.

17 IT IS FURTHER STIPULATED as to the expert reports subject to this stipulation, that
18 the deadline to file any Motion to Compel expert discovery be enlarged from March 7, 2008, to
19 March 14, 2008.

20 Defendant's position is that this extension is not necessary. Defendant specifically denies
21 Plaintiff's characterization of the discovery dispute and the Court's January 15, 2008, Order
22 Granting in Part and Denying in Part Motion to Compel Medical Peer Review Information.
23 Defendant, however, is willing to cooperate in good faith with Plaintiff's efforts to obtain an
24 extension, as described herein, provided that any enlargement of time applies to Plaintiff's and to
25 Defendant's expert reporting obligations on fairness grounds.

26 Plaintiff's position is that the stipulation is supported by good cause as described in the
27 accompanying declaration of Andrew E. Sweet.

IT IS SO STIPULATED:

DATED: January 17, 2008

Moscone, Emblidge & Quadra, LLP

By _____/s/

Andrew E. Sweet
Attorneys for Plaintiff
COYNESS L. ENNIX, JR., M.D.

DATED: January 17, 2008

Kauff, McClain & McGuire, LLP

By _____/s/

Matthew Vandall
Attorneys for Defendant, ALTA
BATES SUMMIT MEDICAL
CENTER

PURSUANT TO STIPULATION, IT IS SO ORDERED:

DATED: January ___, 2008

WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE